

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GREGORY PEARCE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

MIZUHO BANK, LTD., a Japanese financial
institution, and MARK KARPELES, an
individual,

Defendants.

Case No. 18-cv-00306

Hon. Robert F. Kelly

DECLARATION OF GREGORY PEARCE

Pursuant to 28 U.S.C. § 1746, I hereby declare and state as follows:

1. In November 2013, I went through the process of “verifying” my Mt. Gox user account and identity through the Mt. Gox website. As proof of my identity and home address, I uploaded a copy of my Comcast cable bill to the Mt. Gox website. The bill indicated that my cable service address was GREGORY PEARCE, 1230 CHEYNEY RD FRN 2, WEST CHESTER PA 19382, and also included details about my Comcast cable account (e.g., account number, monthly payments, etc.).

2. In January 2014, I ordered a “YubiKey” from the Mt. Gox website and requested that it be shipped to my home address at Gregory Pearce, 1295 Clearbrook Road, West Chester, PA, 19380. The Mt. Gox website described the YubiKey as a physical item that implemented two-factor authentication when logging into the Mt. Gox website, and recommended that exchange users order and use the device to increase the level of security on their Mt. Gox accounts. I paid for the YubiKey through the Mt. Gox website.

3. In early February 2014, I received the YubiKey at my Westchester, PA address. Exhibit A, attached hereto, is a true and accurate depiction of the materials I received in that mailing. The materials included the outside envelope (which bore the Mt. Gox logo and address), a cover letter (addressed to my residence in West Chester, PA and bearing the Mt. Gox logo and address), a customs declaration (showing that the YubiKey was shipped by Tibanne Co. Ltd. and to my residence in West Chester, PA), a packing slip (showing that the YubiKey was shipped by Tibanne Co. Ltd. and to my residence in West Chester, PA), and invoice (showing that (i) the YubiKey was shipped by Tibanne Co. Ltd. and to my residence in West Chester, PA and (ii) the cost of the YubiKey was \$14.99 USD).

4. All of my interactions with the Mt. Gox exchange were done through its website, located at www.mtgox.com. Among other things, I used the Mt. Gox website to open my account, transfer bitcoins into my account, convert my bitcoins to cash, initiate a cash withdrawal from the exchange (which was not completed), “verify” my account through the process described above, communicate with the Mt. Gox customer service team, and order a YubiKey security device, as also described above.

I declare under penalty of perjury that the above and foregoing is true and correct.

Executed May 2, 2019 in West Chester, Pennsylvania.

Gregory Pearce

Gregory Scott Pearce

Exhibit A



MTGOX Co. Ltd.
Cross Office Shibuya Medio 2C, 11-5 Shibuya 2-Chome, Shibuya-ku, Tokyo 150-0002



MtGox c/o Tibanne Co. Ltd.
Cerulean Tower 15F
26-1 Sakuragaokacho
〒150-8512 Shibuya Tokyo
Japan

Gregory Pearce
1295 Clearbrook Road
19380 West Chester
PA
United States
Tel: 6107019185
EMS Tracking: EL008261355JP

Dear Gregory Pearce,

Your MtGox.com account **beeblebrox** has been enabled to support two-factor authentication.

Please find attached your Yubikey with serial number **2173997**, which will allow you to login on MtGox.com.

Your Yubikey can generate two different OTP passwords depending on the way you use it:

- If you touch the Yubikey round part for less than half a second, the first OTP is generated. This password is required for logging into the site.
- If you touch and keep your finger on the yubikey for about 3 seconds, you will generate a withdraw password.

Please contact us at info@mtgox.com or visit our support site <http://support.mtgox.com/> if you have any question.

Please note that your Yubikey can only be used on MtGox.com, as it is specifically programmed for our site.

Thanks,

The Mt.Gox Team



送り状 (Dispatch Note)

物品用 (For goods)



お問い合わせ番号

(item number) EL 008 261 355 JP

JAPAN 職権により開くことがあります
May be opened officially

JAPAN POST

From (Sender) Name & Address		受付年月日 Date mailed 年 (Year) 月 (Month) 日 (Date) 2014 01 31		受付時刻 Time mailed 時 (hour) 分 (Minute)		郵便料金 1200		諸料金	
TIBANNE CO. LTD. 11-5 Shibuya 2-Chome Shibuya-ku Tokyo				総重量 Total gross weight 36 g		合計金額 Postage Paid 1200 円 (yen)			
Postal Code 150-0002		JAPAN		PA		Postal Code 19380			
TEL 03-4520-6200		FAX 03-4520-6299		Country UNITED STATES OF AMERICA					
内容品の詳細な記載 Detailed description of contents		HSコード HS tariff number	内容品の原産国 Country of origin of goods	内容品の個数 Number of items contained	正味重量 Net weight	内容品の価格 Value	TEL 6107019185		
USB CHIP YUBIKEY #2173997			SWEDEN	1		USD14.99	FAX		
							次の場合は口×をつけてください Insert a cross (x), if the item contains.		
							<input type="checkbox"/> 贈物 a gift <input type="checkbox"/> 商品見本 a sample <input checked="" type="checkbox"/> 商品 merchandise <input type="checkbox"/> その他 others <input type="checkbox"/> 身の回り品 personal effects <input type="checkbox"/> 書類 document		
							日本円換算合計 (円) Total Value 1200 Yen		
<input checked="" type="checkbox"/> 上記内容品は危険物に該当しないことを確認済です I checked that contents above are not dangerous goods.		<input type="checkbox"/> 20万円超 申告対象郵便物		この郵便物は Number of this pieces		ご注意! この用紙は送り状です。 専用パウチに入れてください。		社員確認用 <input type="checkbox"/>	
ご署名 Signature of the sender				番目 Total number of pieces		(To Post and Customs Officer) This is EMS Dispatch Note. Proof of delivery attached on the back.		・航空危険物の 説明・確認 ・輸出申告対象 (20万円超) か 確認	

Fold in half and enclose in the pouch



配達証 (PROOF OF DELIVERY)



item number

EL 008 261 355 JP

From (Sender) Name & Address		受付年月日 Date mailed 年 (Year) 月 (Month) 日 (Date) 2014 01 31		配達日時 (Date/time of delivery)		ご署名 (Signature of recipient)	
TIBANNE CO. LTD. 11-5 Shibuya 2-Chome Shibuya-ku Tokyo				To (Addressee) Name & Address Gregory Pearce 1295 Clearbrook Road West Chester			
Postal Code 150-0002		JAPAN		PA		Postal Code 19380	
TEL 03-4520-6200		FAX 03-4520-6299		Country UNITED STATES OF AMERICA			
内容品の詳細な記載 Detailed description of contents		HSコード HS tariff number	内容品の原産国 Country of origin of goods	内容品の個数 Number of items contained	正味重量 Net weight	内容品の価格 Value	TEL 6107019185
USB CHIP YUBIKEY #2173997			SWEDEN	1		USD14.99	FAX
							次の場合は口×をつけてください Insert a cross (x), if the item contains.
							<input type="checkbox"/> 贈物 a gift <input type="checkbox"/> 商品見本 a sample <input checked="" type="checkbox"/> 商品 merchandise <input type="checkbox"/> その他 others <input type="checkbox"/> 身の回り品 personal effects <input type="checkbox"/> 書類 document
							日本円換算合計 (円) Total Value 1200 Yen
<input checked="" type="checkbox"/> 上記内容品は危険物に該当しないことを確認済です I checked that contents above are not dangerous goods.		<input type="checkbox"/> 20万円超 申告対象郵便物		この郵便物は Number of this pieces		ご注意! この用紙は配達証です。山折後こちらを 裏面にして専用パウチに入れてください。	
ご署名 Signature of the sender				番目 Total number of pieces		個中	

INVOICE

1枚目 / 1 枚中

インボイス作成日 (Date) : 2014 / 01 / 31

作成地 (Place) : Tokyo

Invoice: 2 Please enclose in the pouch

ご依頼主 (Sender): TIBANNE CO. LTD. 11-5 Shibuya 2-Chome Shibuya-ku Tokyo 150-0002, JAPAN TEL 03-4520-6200 FAX 03-4520-6299		郵便物番号 (Mail Item No.): EL008261355JP		送達手段 (Shipped Per) : E M S		支払い条件 (Terms of Payment):	
お届け先 (Addressee): Gregory Pearce 1295 Clearbrook Road West Chester PA 19380, UNITED STATES OF AMERICA TEL 6107019185 FAX		備考 (Remarks): <input checked="" type="checkbox"/> 有償 (Commercial value) <input type="checkbox"/> 無償 (No Commercial value) <input type="checkbox"/> 贈物 (Gift) <input type="checkbox"/> 商品見本 (Sample) <input type="checkbox"/> その他 (Other) Invoice No.					
内容品の記載 (Description)	原産国 (Country of origin)	正味重量 (Net Weight) g	数量 (Quantity)	単価 (Unit Price)	合計額 (Total Amount)		
USB CHIP YUBIKEY #2173997	SWEDEN		1	USD 14.99	USD 14.99		
総合計 (Total)							

郵便物の個数 (Number of pieces) :

総重量 (Gross weight) g : 36

Mt. Gox Co., Ltd.
 Cross Office Shibuya Medio 2-C
 11-5 Shibuya 2-Chome
 150-0002 Shibuya Tokyo
 Japan